

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAVE SCARDINA, individually and on behalf
of a class,

Plaintiff,

vs.

MIDLAND CREDIT MANAGEMENT, INC.,
MIDLAND FUNDING LLC, ENCORE
CAPITAL GROUP, INC.,

Defendants.

Case No. 11-cv-3149

The Honorable George W. Lindberg

Magistrate Judge Jeffrey T. Gilbert

STATUS REPORT

Midland Credit Management, Inc. (“MCM”), Midland Funding LLC (“Midland”), and Encore Capital Group, Inc. (“Encore”) (collectively “Defendants”), respectfully provide a status update to the Court.

On July 11, 2011, undersigned counsel, counsel for Plaintiff (Curtis Warner, Daniel Edelman, and Cassandra Miller), and counsel for the Plaintiff in a related case pending in this District before the Honorable Judge Charles P. Kocoras, *Martin v. Midland Funding LLC*, Case No. 1:11-CV-03104, attended a teleconference to discuss Defendants’ intention to file a motion to have the *Martin* case deemed related and reassigned to the instant action. In discussing the merits of the motion, counsel for the Plaintiff in the *Martin* case indicated to Plaintiffs’ counsel in this case that the discovery requests in the *Martin* case would be duplicative of the discovery served in the instant matter.

At the hearing this morning on the presentment of Defendants’ Motion to Stay this case, counsel for Defendants represented that the discovery served in the *Martin* case was duplicative

of the discovery served in the instant case. At that moment, undersigned counsel understood that discovery had been served in the *Martin* case, based on Martin's counsel's comments and due to an internal clerical mistake arising out of the duplicative nature of the claims/lawsuits. As of this date, discovery has yet to be issued in the *Martin* case. The purpose of this Status Report is to correct the record in that regard.

Dated: July 13, 2011

Respectfully submitted,

**MIDLAND CREDIT MANAGEMENT, INC.,
MIDLAND FUNDING LLC, AND ENCORE
CAPITAL GROUP, INC.**

By: s/ Renee L. Zipprich
Renee Zipprich (rzipprich@dykema.com)
DYKEMA GOSSETT PLLC
10 South Wacker Drive, Suite 2300
Chicago, Illinois 60606
Phone: 312-876-1700
Fax: 312-627-2302

Theodore W. Seitz (tseitz@dykema.com)
DYKEMA GOSSETT PLLC
Capitol View
201 Townsend Street, Suite 900
Lansing, Michigan 48933
Phone: (517) 374-9100
Fax: (517) 374-9191

CERTIFICATE OF SERVICE

I hereby certify that on **July 13, 2011**, I electronically filed the foregoing **Status Report** with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Curtis C. Warner
cwarner@warnerlawllc.com
Warner Law Firm, LLC
Millennium Park Plaza
155 N. Michigan Ave. Suite 560
Chicago, IL 60601
(312) 238-9820 – tel.

Daniel A. Edelman
Cathleen M. Combs
James O. Lattuner
Edelman Combs Lattuner & Goodwin, LLC
120 S. LaSalle Street, 18th Floor
Chicago, IL 60603
312 739-4200

s/ Candace Mandel

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